



Minutes January 5, 2022 Tipton County Board of Zoning Appeals

The Tipton County Board of Zoning Appeals held its regular meeting on Wednesday, January 5, 2022, at 7:00 pm, in the 1st Floor Meeting Room of the Tipton County Courthouse, 101 East Jefferson Street, Tipton, Indiana.

Call to Order

Vice-Chairman Gary David called the meeting to order at 7:00 p.m.

Roll Call

Members in attendance: Bob Powell, Scot Gasho, and Gary David.

Members absent: 2 *vacancies*.

Staff in attendance: Steve Niblick, Judy Coker, and David Langolf Smith.

Staff absent: none.

Modifications to Agenda / Agenda Summation

None.

Election of Officers

a) Chairman. Bob Powell nominated Gary David for Chairman; seconded by Scot Gasho. Nomination closed. Gary David elected Chairman by a 3-0 vote.

b) Vice-Chairman. Bob Powell nominated Scot Gasho for Vice-Chairman; seconded by Gary David. Nomination unanimously closed. Scot Gasho elected Vice-Chairman by a 3-0 vote.

c) Secretary. Bob Powell nominated Judy Coker for Secretary; seconded by Scot Gasho. Nomination unanimously closed. Judy Coker elected Secretary by a 3-0 vote.

Approval of Minutes

a) November 3, 2021, Minutes

Bob Powell made a motion to approve the minutes of November 3, 2021, as presented; seconded by Scot Gasho. Motion carried 3-0.

Public Hearings

a) CO-V-31-21 Sparks development standard variance

Steve Niblick advised the board that the Sparks development standard variance is still tabled.

b) CO-V-38-21 Tolle development standard variance

Steve Niblick provided the staff report for CO-V-01-22, Tolle development standard variance.

Jason Tolle came forward to present the petition.

Gary David asked how many trees would need to be removed in order to place the solar installation. Jason Tolle responded that he would need to remove three or four large black walnut trees.

Discussion ensued concerning the location of the petitioner's property.

Bob Powell expressed concerns that placing the solar installation 20' from the edge of the road is too close, especially considering the distance that snowplows can throw snow, ice, and sod during the snow plowing process.

Scot Gasho asked Steve Niblick how the road (600 North) was classified. Steve Niblick stated that 600 North is classified as a local road and not an arterial road. Jason Tolle further explained that his road, 600 North is a dead-end road.

Discussion ensued concerning where the right-of-way is located in relation to the proposed solar installation location. Amber Tolle explained that the road right-of-way extends approximately 3' from the edge of pavement, and the proposed solar location would be an additional 17' from the right-of-way onto the Tolle's property. Jason Tolle explained that there is also farm fencing that is approximately 5' from the edge of the road.

Gary David asked if there is any way that the petitioner could move the solar installation back from the road a little bit. Jason Tolle explained that they would have to take out more trees in order to move the installation farther from the road.

Discussion ensued concerning the dangers of placing the solar installation 20' from the edge of pavement, expressly, the possibility of damages incurred during the snow plowing process.

Bob Powell asked why the installation could not be set back 30'. Jason Tolle explained that they could move the location back to 30' if they took out more trees. Jason Tolle explained that he is trying to avoid taking out more trees.

Scot Gasho asked how close the solar installation would be to the trees if it is placed in the location that is being requested. Jason Tolle stated that the proposed location would put the panels right next to the existing trees.

Amber Tolle explained that the road is on the high side, with a ditch running along the south side. Amber Tolle explained that, because of the way the road is constructed, she is not concerned with the road shoulders being torn up during the plowing process. Amber Tolle also explained that this road was reconstructed during the windmill building process, so the roadway is very sturdy.

Discussion ensued concerning the snow plowing process.

Rob Wallsman of Jefferson Electric explained that this solar installation is warranted against hail damage and are able to withstand 1-inch to 4-inch hail stones, at up to 54 miles per hour.

With no further public discussion, Bob Powell motioned to close the public hearing; seconded by Scot Gasho. Motion carried 3-0.

Bob Powell stated that he would like to see the solar installation more than 30' from the road, but that he could agree to 30', if that is what the rest of the board would agree to.

Scot Gasho stated that he is not an engineer, so he does not know what the right number of feet is but believes that 20' from the road is too close.

Bob Powell asked what the life expectancy of a solar installation is. Rob Wallsman stated that a solar installation will last approximately 25 years.

Discussion ensued concerning the appropriate distance to place the solar installation from the road, and where the solar installation needs to be placed in relation to the house.

Steve Niblick reminded the board that they must have at least three votes to pass any motion.

Scot Gasho motioned to deny the petition as presented. Motion died for lack of a second.

Bob Powell motioned to allow the solar installation a minimum of 40' from the road right-of-way; seconded by Gary David. Motioned carried 3-0

Old Business

a) CO-V-32-21 Devendorf Use Variance Findings of Fact


Bob Powell made a motion to approve the Findings of Fact as presented; seconded by Scot Gasho. Motion carried 3-0.

New Business

None.

Adjournment

There being no further business, Bob Powell made a motion to adjourn the meeting at 7:33 pm; seconded by Scot Gasho. Motion carried 3-0.


Chairman


Executive Director

5-4-2022
Date

MAY 4, 2022
Date

